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**Re:** 10/527,611

**Pages (including cover page):** 3

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### COMMENTS:

In re application serial number 10/527,611  
Attached 2-page Response to Election Requirement

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Daniel R. Faltysek

Serial Number: 10/527,611

Filed: 3/11/2005

For: METHOD AND APPARATUS FOR  
TURF AERIFICATION§  
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§

Confirmation No. 7271

Examiner: Alexandra K. Pechhold

Group art unit: 3671

Atty Docket No. 198-0002US

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450**RESPONSE TO ELECTION REQUIREMENT**

This Response is submitted in reply to the Office Action mailed 12/09/2005 in connection with the captioned application.

Applicant traverses the restriction requirement. The claims are to a process and an apparatus for its practice. The Office Action does not identify another, materially different apparatus that could be used to practice the process and does not state how one could "allow the [turf] drill to rotate" during insertion and "prevent the drill from rotating" by hand while withdrawing it from the soil.

Applicant provisionally elects the claims of group III for prosecution – i.e., claims 7 – 13 and 23 – 25.

## CERTIFICATE OF TRANSMISSION

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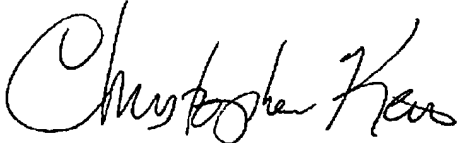
Christopher D. Keirs, Reg. No. 32,248

Date: 4 JAN 2006

s/n 10/527,611  
198-0002US

The Office Action did not place claims 21 – 22 in any group. Clarification is requested.

Respectfully submitted:



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